

Rockport Harbor Advisory Committee

Monthly Meeting

November 19, 2014 at Rockport Library

Present: Chairman Montello, Fred Hillier, Chris Murch, Larry Stepenuck, Phil Crotty, Dana Jorgennson, Steve Fritch

Also Present: Harbormasters Rosemary Lesch and Scott Story

Absent: Kevin Carrigan

Chairman Montello opened the meeting at 6:05 PM and collected the annual Ethics forms required by the Town Administrators.

No HAC meeting having been held in October, the September minutes were distributed by the Secretary and time was allowed for members to read. A motion to accept the September 24, 2014 minutes was made by Ms. Jorgennson, seconded by Steve Fritch, and all voted aye, except Mr. Stepenuck who abstained because he was not present at the September meeting.

The Chairman asked the Harbormasters for an update. They reported that regarding the Bearskin Neck project being undertaken by the USACE, the staging area is ready and the contractor is doing a lot of prep work. Much granite is being stocked at Granite pier. As soon as a new excavator is received by the contractor and assembled, the work will begin. There will be another excavator on a barge. The existing rocks that have tumbled into the harbor will not be moved—the work is not a dredging operation. The completed pier will be walkable but not smooth. The top will be 18' wide. The Chairman asked for a schedule of events and the Harbormasters reported work should start by December 1st and be completed next year, and the winter weather should not hold up the project.

The Harbormasters then reported that regarding the pilings project by the Motif that all the pilings are in; and the town float will be going back in next week.

The Chairman turned to new business. Mr. Stepenuck presented the first page and reported on a new lawsuit filed in MA land court by “The Landing Group” (aka “The Tool Company”) against the Commonwealth of Massachusetts. The Town of Rockport has not been named. The BOS are aware and said to be in contact with Senator Tarr and the Town Attorneys. The State has made a motion to dismiss the case. The law suit runs 290 pages. It claims the plaintiff owns all rights to Pigeon Cove Harbor—including rights of navigation and including commercial vessels—by reason of long-ago legislation. Harbormaster Story reported that the Town came to know of the lawsuit a couple of weeks ago. He says the main point of the Tool Co. case is that Massachusetts did not have the right to turn over PC harbor to the federal government forty years ago. Mr Stepenuck disclosed for the record that he is a member of the Pigeon Cove Coop and also a lobsterman and fisherman, but his financial interest in the lawsuit is minimal. The PC Coop will likely not be able to get bank financing for necessary improvements with the lawsuit hanging overhead. Mr. Stepenuck reported that he has called the newspaper to inquire why it has not covered this story. The Chairman and members agreed that this case has potentially huge consequences for Rockport. There are twenty-seven businesses located at Pigeon Cove. The members agreed that the town's dealings in the lawsuit should be transparent, and that the HAC committee should be vocal in urging the BOS to be proactive, and that the BOS should keep the HAC posted on the lawsuit's progress.

The Chairman asked Mr. Crotty about the Granite Pier extension feasibility project now in the hands of the DPW,. Crotty said he had spoken to Tim Olson at DPW today and Olson reports the project is moving with respect to finalizing a proposal from a competent engineering firm to handle the initial questionnaire requested by the USACE.

The Chairman then asked Ms. Jorgennson to report of workshop plans. She suggested the HAC meet to review the Rockport bylaws at a winter meeting and suggest changes. Harbormaster Story agreed but added only if changes are necessary. The Chairman said the committee will review bylaws at the December meeting, and that the bylaws can be found online in the meantime.

The Chairman set the next meeting for December 17th at the Library. A motion was made to adjourn by Ms. Jorgennson, seconded by Mr. Murch, and all voted aye.

Meeting adjourned at 6:40PM